

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

4 JOHN TURNER,)
5 Plaintiff,) 2:13-cv-01752-GMN-NJK
6 vs.)
7 HIGH DESERT STATE PRISON, *et al.*,)
8 Defendants.)
/

10 This action is a *pro se* civil rights complaint filed pursuant to 42 U.S.C. § 1983 by a state
11 prisoner. Plaintiff has filed a motion to waive the appellate filing fee. (ECF No. 24).

12 Plaintiff's motion is denied for at least two reasons. First, plaintiff is seeking relief from an
13 order of the Ninth Circuit Court of Appeals. (ECF No. 20). This district court does not have
14 authority to override an order of the appellate court. Second, this Court already has certified to the
15 Court of Appeals that plaintiff's appeal is not taken in good faith under 28 U.S.C. § 1915(a)(3).
16 (ECF No. 8). Such a finding by the district court precludes a litigant from proceeding *in forma*
17 *pauperis* on appeal.

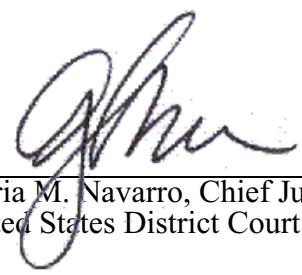
18 Finally, the Court notes that plaintiff has filed one motion with a caption that bears the case
19 numbers from several different cases he has filed in this Court. To the extent that plaintiff seeks
20 relief in the motions in more than one action, he may not do so. None of plaintiff's current actions
21 are consolidated, and plaintiff therefore can seek relief in an action only by filing a motion captioned
22 only for that action in that action. Plaintiff may not seek relief in multiple actions merely by
23 including multiple docket numbers in a single filing.

24 **IT THEREFORE IS ORDERED** that plaintiff's motion to waive the appellate filing fee
25 (ECF No. 24) is **DENIED**, subject to any orders of the Court of Appeals.

26 IT IS FURTHER ORDERED that the Clerk of Court **SHALL SEND** a notice of electronic

1 filing as to this order to the Court of Appeals in a manner consistent with the Clerk's current practice
2 for same.

3 **DATED** this 25th day of August, 2014.

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6 Gloria M. Navarro, Chief Judge
7 United States District Court
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